

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

## **ORDER**

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 260), Objections filed by Defendant (Docket No. 261) and Objections filed by Plaintiff (Doc. No. 262). Pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b)(3), the Court has reviewed *de novo* the portions of the Report and Recommendation to which objections were filed and the Objections. For the reasons stated in the accompanying Memorandum Opinion, the Report and Recommendation is **REJECTED in part and ADOPTED AND APPROVED in part.**

Defendant's Motions to Dismiss for Lack of Subject-Matter Jurisdiction (Doc. No. 228) and Defendant's Motion for Judgment as a Matter of Law or, Alternatively, for a New Trial (Doc. No. 238) are **DENIED**. Plaintiff's Motion for Award of Attorney's Fees, Expenses, and Prejudgment Interest (Doc. No. 230) is **GRANTED in part and DENIED in part**. Plaintiff will be awarded prejudgment interest in the amount of \$32,873.78, as requested. Doc. No. 262 at 15.

IT IS SO ORDERED.

Eli Richardson  
ELI RICHARDSON  
UNITED STATES DISTRICT JUDGE